

5/013/010

RECEIVED

MAY 06 2005

DIV OF OIL GAS & MINING

DUAL OBLIGEE RIDER

To be attached to and form a part of Performance Bond
No.

104433147

executed concurrently with this rider, it is agreed that:

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, Surety, and

W.W. Clyde – Obayashi, A Joint Venture, Principal,
for valuable consideration, hereby agree that the Performance Bond executed in favor of

State of Utah, Division of Oil, Gas and Mining (Division), Obligee,
in connection with a contract for: RECLAMATION

which bond and contract are made a part of hereof by reference, shall now include as an additional Obligee:

Duchesne County, Utah

in its capacity as Governing Jurisdiction for the aforementioned project.

The Surety shall not be liable under this bond to the Obligees, or either of them, unless the said Obligees, or either of them, shall make payments to the Principal or to the Surety, in case the Surety arranges for the completion of the contract upon default of the Principal, strictly in accordance with the terms of said contract as to payments, and shall perform all the other obligations to be performed under said contract at the time and in the manner therein set forth.

In no event shall the Surety be liable in the aggregate to both Obligees for more than the penal sum of its Performance Bond, nor shall it be liable except for a single payment for each single breach or default. At the Surety's election, any payment due to either Obligee may be made by its check issued jointly to both.

WITNESS the following signatures and seals this 15th day of March, 2005.

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

By:

W. Douglas Snow

Attorney-in-Fact

W.W. Clyde – Obayashi, A Joint Venture

(Principal)

Attest:

By:

Utah State Division of Oil, Gas & Mining

(Obligee)

Attest:

By:

Duchesne County

(Dual Obligee)

Attest:

By:

ATTACHMENT "A"

W. W. Clyde/Obayashi, JV
Operator

Myrin Pit
Mine Name

S/013/010
Permit Number

Duchesne County, Utah

LEGAL DESCRIPTION

Include 1/4, 1/4, 1/4 sections, townships, ranges and any other descriptions that will legally determine where disturbed lands are located. Attach a topographic map of suitable scale (max. 1 inch = 500 feet; 1 inch = 200 feet or larger scale is preferred) showing township, range and sections and a clear outline of the disturbed area boundaries tied to this Reclamation Contract and surety.

The detailed legal description of lands to be disturbed includes portions of the following lands not to exceed 5 acres under the approved / accepted permit and surety, as reflected on the attached maps labeled Attachment C & C-a and dated March 15, 2005:

A portion of the N $\frac{1}{2}$, of the NW $\frac{1}{4}$, of the NE $\frac{1}{4}$, and of the NE $\frac{1}{4}$ of Section 32, Township 2 South, Range 3 West, USM and a portion of the S $\frac{1}{2}$, of the SW $\frac{1}{4}$, of the SE $\frac{1}{4}$, and of the SE $\frac{1}{4}$ of Section 29, Township 2 South, Range 3 West, USM.

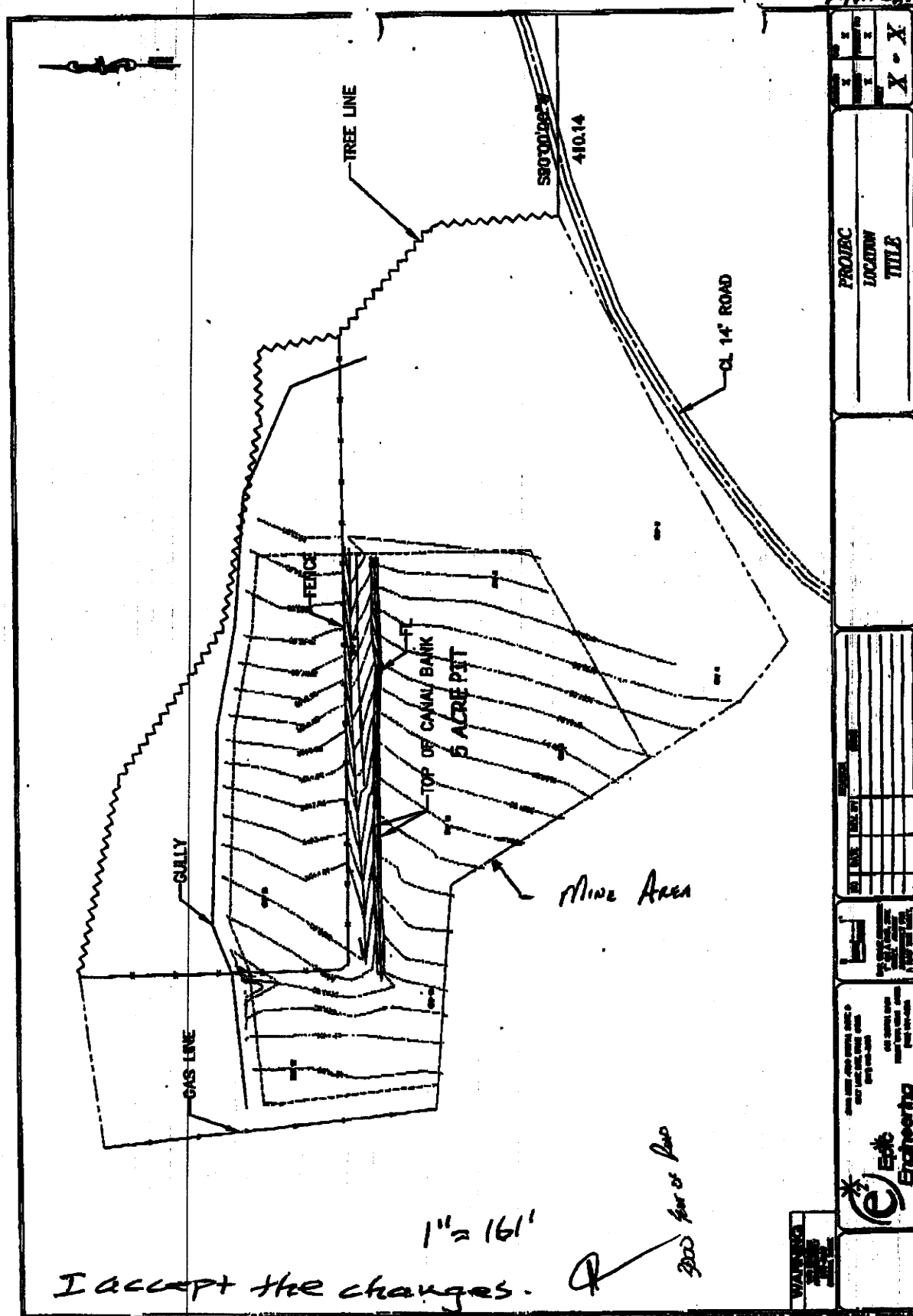
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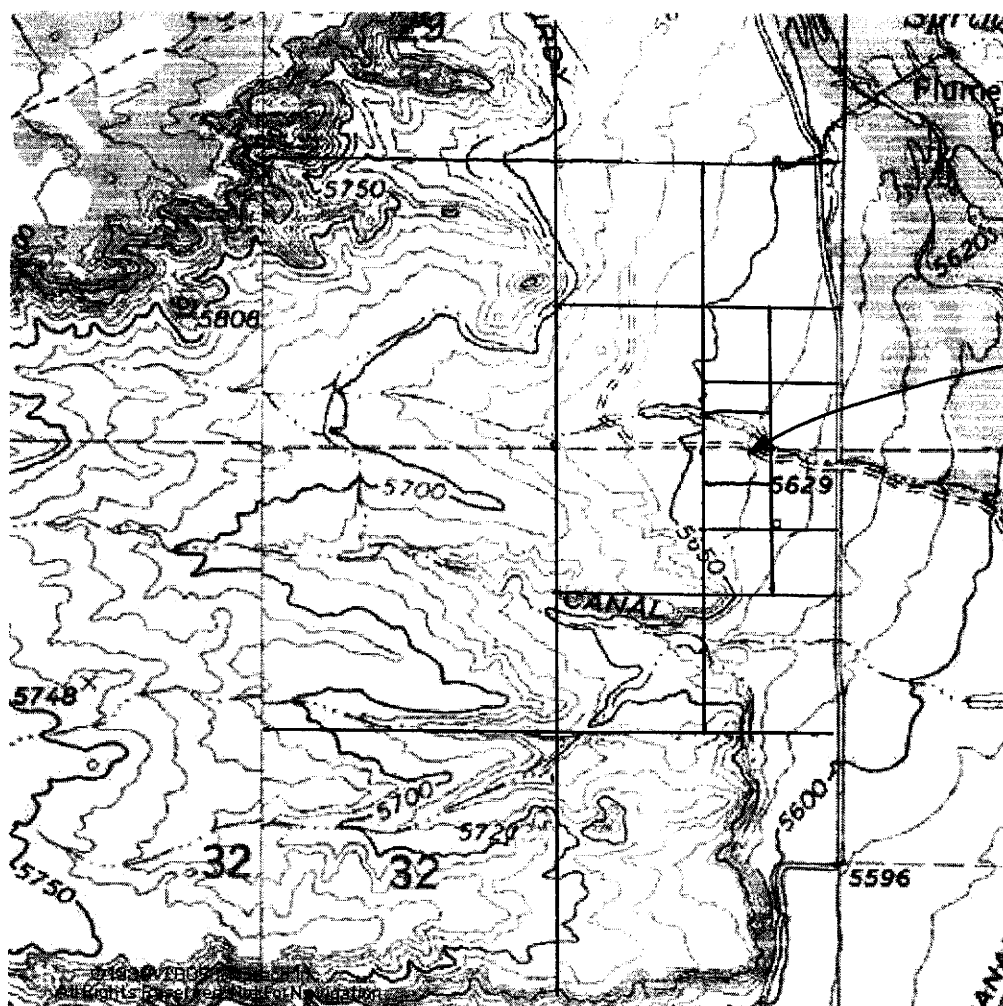
Q-a

03/15/05



Attachment C Myrin Pit

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MINE AREA